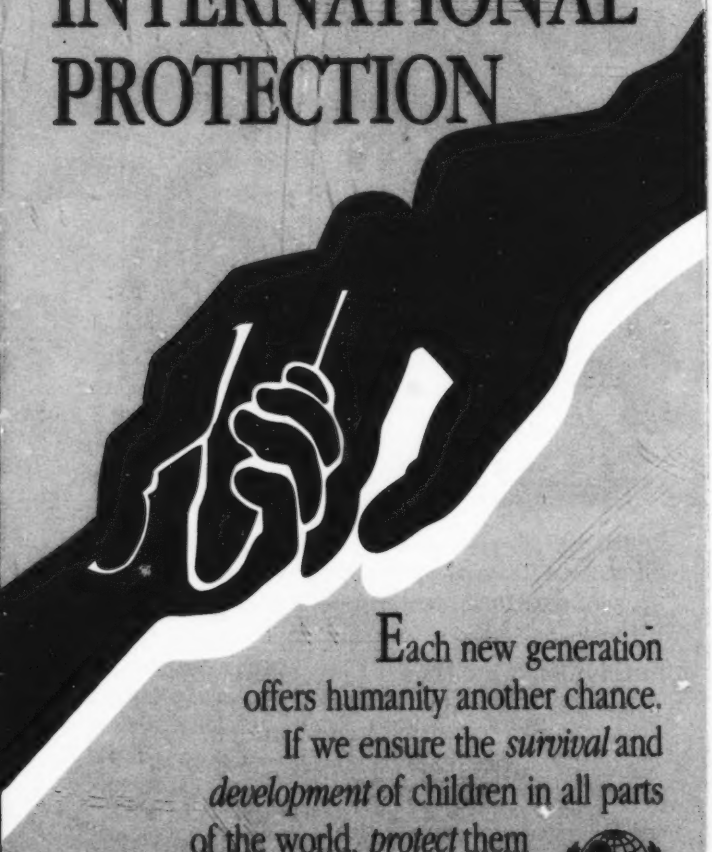
CHILDREN'S RIGHTS NEED INTERNATIONAL PROTECTION



Each new generation offers humanity another chance. If we ensure the *survival* and *development* of children in all parts of the world, *protect* them from harm and exploitation and enable them to *participate* in decisions directly affecting their lives, we will surely build the foundation of the just society we all want and that children deserve.

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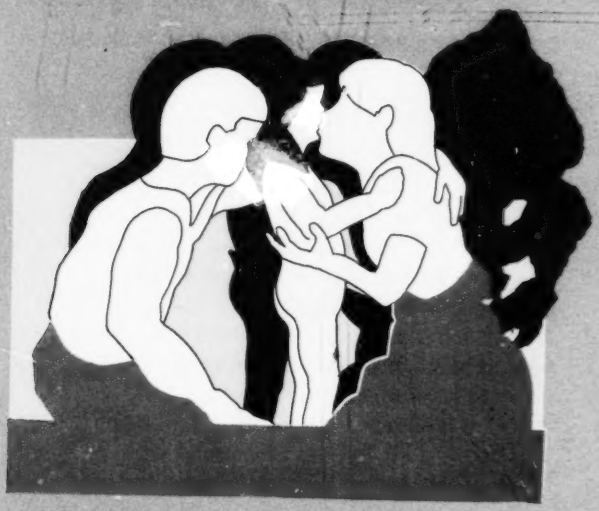
THE CONVENTION

Here in summary form, are some highlights of the Convention adopted by the UN General Assembly in 1989

- Children are defined as persons under the age of 18, unless national laws fix an earlier age of majority.
- Every child has the right to life; States shall ensure to the maximum child survival and development.
- Every child has the right to a name and nationality from birth.
- When courts, welfare institutions or administrative authorities deal with children, the child's best interests shall be a primary consideration. The child's opinions shall be given careful consideration.
- States shall ensure that each child enjoys full rights of the Convention without discrimination of any kind.
- Children shall not be separated from their parents, unless considered necessary for their well-being by competent authorities; States shall facilitate reunification of families by permitting travel in or out of their borders.
- Parents have the primary responsibility for a child's upbringing, but States shall provide them with appropriate assistance and develop child-care facilities.
- States shall protect children from physical or mental harm and neglect, including sexual abuse or exploitation.
- States shall ensure parentless children suitable alternative care. Any adoption process shall be carefully regulated and international agreements shall be sought to provide safeguards and assure legal validity when adoptive parents propose to move the child from his or her country of birth.
- Children with disabilities have the right to special treatment, care and education.
- The child is entitled to the highest attainable standard of health. States shall ensure that health care is provided to all children, placing emphasis on preventive measures, health education and reduction of infant mortality.
- Primary education shall be free and compulsory; discipline shall respect the child's dignity. Education shall prepare the child for life in a spirit of understanding, peace and tolerance.
- Children shall have time to rest and play and equal opportunities for cultural and artistic activities.

ON THE RIGHTS OF THE CHILD



- States shall protect the child from economic exploitation and work that may interfere with education or be harmful to health and well-being.
- States shall protect children from the illegal use of drugs and involvement in drug production or trafficking.
- All efforts shall be made to eliminate the abduction and trafficking of children.
- Capital punishment or life imprisonment shall not be imposed for crimes committed before the age of 18. Children must not be tortured or suffer cruel or degrading treatment. They shall not be arbitrarily detained, and if charged, should benefit from due process of law, including legal defence.
- No child below 15 years of age shall take any part in hostilities; children exposed to armed conflict shall receive special protection.
- Children of minorities or who are indigenous shall freely enjoy their own culture, religion and language.
- Children who have suffered maltreatment, neglect or detention shall receive appropriate treatment or training for recovery and rehabilitation.
- States shall make the Convention's rights widely known to both adults and children.

RIGHTS MEAN OBLIGATIONS

The oldest known fossil footprints of our human ancestors are those of a family leading a child across a mud flat in Africa more than a million years ago. Recognition of children's need for special care is foremost among those basic understandings about social conduct that we call "human rights", whose observance protects the dignity and worth of the individual and enables people to live and work together. All rights imply obligations, especially by the powerful toward the powerless. In codifying rights and obligations as civil laws and moral precepts, early societies took a giant stride toward civilization.

Today, as the family of nations in all its diversity is drawn closer together, a body of international accords is growing on rights and obligations that are applicable to all as the basis for promoting and measuring progress toward the goals of peace, justice and freedom, and better standards of living.

The Convention on the Rights of the Child is a set of international standards and measures that recognizes the particular vulnerability of children and brings together in one comprehensive code the benefits and protection for children scattered in scores of other agreements and adds new rights never before recognized. When ratified by 20 countries, it will gain the force of international law for those countries. But only when each country has adjusted its legislation and practice to conform to the Convention's principles can compliance be fully ensured. Widespread popular support is vital now to make this a reality. There is a role for everyone, individuals and organizations, in bringing this instrument for children's well-being into force.

The Convention covers four broad areas of rights:

Survival rights include such things as adequate living standards and access to medical services.

Development rights include education, access to information, play and leisure, cultural activities and the right to freedom of thought, conscience and religion.

Illustrations by WYATT

Protection rights embrace all of the above, but also cover all forms of exploitation and cruelty, arbitrary separation from family, and abuses in the criminal justice system.

Participation rights include the freedom to express opinions and to have a say in matters affecting his or her life. As capacities evolve, the child shall have increasing opportunities to take part in the activities of society, as preparation for responsible adulthood.

The Convention sets standards for the defence of children against the neglect and abuse they face to varying degrees in all countries every day. It is careful to allow for the different cultural, political and material realities among States. Nothing in existing national laws should contradict the Convention, but it recognizes that in some areas improvements in these laws will often have to be approached progressively. National standards already stricter than those proposed by the Convention will be maintained. The guiding spirit of the document is that the best interests of the child must come first.

BOTH THE DECLARATION AND THE CONVENTION ARE NEEDED

In 1959, the UN General Assembly unanimously adopted a "Declaration of the Rights of the Child", ten principles that assert that "mankind" owes to the child the best it has to give." Since then, the Declaration has guided private and public child welfare action. It remains vital as the moral framework for children's rights.

The Convention complements the Declaration by holding society legally accountable for meeting the obligations that make rights meaningful. More, it encourages assistance to States unable to meet their children's rights in full due to a lack of resources. It also addresses serious child welfare problems often found in rich countries. The intent and the tone of the Convention is positive. It defends the integrity of a happy childhood for its own sake, not just as a stage on the production line forming future adults. Isn't this what we want for the world ?

HERE'S HOW THE CONVENTION WILL DEFEND AND PROMOTE THESE RIGHTS

- The countries that accept the Convention as binding ensure that their laws are up to the standards it sets and take progressive steps to carry out the measures and establish the services it recommends to the best of their ability.

- Countries must file and publicize regular progress reports on compliance.

- Countries are encouraged to explain any problems holding them back and which may indicate need for technical advice or assistance. This information may be relayed for action to UNICEF, other UN bodies and aid agencies and so promote international cooperation.

– A Committee of ten experts elected by the countries that ratify the Convention will review the national reports, ask for more information as needed and inform the UN General Assembly every two years on the status of compliance.

– The Committee may ask appropriate agencies to make recommendations to a country for improving its performance or on ways to obtain assistance, if the country so wishes.

– Once the Convention standards are built into national laws, governments can require their observance by private institutions and individuals; equally, the private sector can invoke the laws to ensure the compliance of State agencies. The standards will be the point of reference for everyone concerned with children.

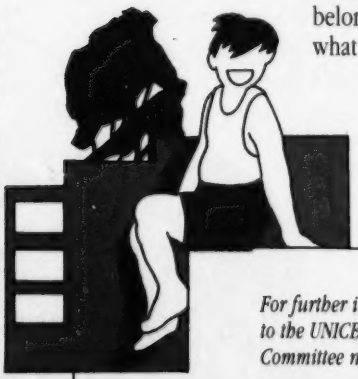
HOW IT HAS HAPPENED

The drafting of this Convention on the Rights of the Child began in 1979, the International Year of the Child, when Poland's proposal for such a treaty was taken up by a Working Group of the UN Commission on Human Rights. Many governments and UN agencies worked together with a network of some 50 non-governmental organizations that was co-ordinated by Defence for Children International. Before reaching the General Assembly, the draft was carefully reviewed by the full Commission on Human Rights and the UN Economic and Social Council. Thus the international community had the opportunity to shape the treaty to allow for different national cultural, political and economic realities without weakening standards of protection. The process took ten years of painstaking work. The result is a historic treaty with wide support that can be made to work for a better world.

WHAT YOU CAN DO

Thirty years after proclaiming that children have rights, the international community agreed to have an international legal code to ensure their rights. To make sure that children all over the world really are able to exercise their rights, governments and the public must be convinced that it is an important step for them to support the implementation of the Convention on all levels. Individuals and organizations can help by:

- Joining local child welfare organizations; creating a coalition of such organizations to work together to promote the Convention.
- Persuading churches, civic clubs, professional associations, women's and youth groups, political parties and voters' leagues, parents and teachers associations, medical societies, charities and foundations to discuss the issue and demand timely action to observe the provisions of the Convention.
- Finding out what is happening in your country; keeping the media supplied with information about the Convention.
- Telling organizations you belong to and your friends what the Convention can do for children and why it needs their continued attention and support.



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